



LEGACY BRISBANE POLICY

MOTOR VEHICLE

Policy number: FIN-003

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Approving authority: CEO

Sponsor: Finance Manager

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Version History

Date	Description of Change	Version
	Initial release	1
01/03/2021	Update reimbursement for legatee and volunteer private vehicle use	1.1
16/03/2023	Review with clarity on staff private vehicle use and extended policy review period from two to three years	1.2
23/07/2024	Update reimbursement for legatee and volunteer private vehicle use. Clarification of legatee reimbursement. The word <i>infrequent</i> removed from the definition of business travel	1.3

Purpose	The purpose is to establish framework for the effective and efficient use of the Legacy Brisbane vehicle fleet in line with corporate and legislative responsibilities. It establishes the parameters for acceptable use and management of Legacy Brisbane vehicles to ensure: • The integrity and reliability of the fleet. • That authorised drivers are fully informed of their obligations when using fleet vehicles. • The motor vehicle fleet is appropriately managed.
Policy Statement	The Board acknowledges that the use of motor vehicles is necessary to fulfil our charter and it is also important that sound financial management processes are in place to allow us to achieve our goals and meet our regulatory requirements.
Who should read this policy	Board of Directors, Group Chairs, Legatees, staff and volunteers.
Scope	This Policy applies to all Legacy Brisbane vehicles and authorised drivers.
Definitions	Authorised driver – means a Board Member, staff member, Legatee or volunteer holding a valid current open driver’s licence (of the appropriate class) acceptable in Queensland and for whom a copy of the licence has been placed on their personnel file. In the case of employment contract vehicles, the employee’s spouse is also authorised to drive the vehicle, subject the spouse holding a valid open current driver’s licence. Only authorised drivers are permitted to drive Legacy Brisbane vehicles. Except in cases of genuine emergency, an authorised driver will not permit any other person who is not an authorised driver to drive the vehicle. Any emergency which requires another person to drive the vehicle shall be reported to the authorised driver’s department manager as soon as possible. A person holding a learner’s permit is not an authorised driver. A person holding a provisional licence will only be permitted to be an authorised driver with written CEO approval. Business Travel – means travel between Legacy Brisbane’s premises and another location for business purposes and travel between an employee’s home and a business destination, provided it is shorter than going via Legacy Brisbane’s premises and is pre-approved. Fleet Vehicles – means all Legacy Brisbane owned, leased or hired vehicles, including pool vehicles, regional vehicles, position specific vehicles and CEO / Executive Vehicles. Pool Vehicles - Vehicles which are held at Legacy House for business travel only. Regional Vehicles - Vehicles held in a regional area outside of Brisbane but form part of Legacy Brisbane, for example Rockhampton.

Position Specific Vehicles - Vehicles that are linked to a specific position. The employee filling that position has use of the vehicle as part of their employment contract.

Fringe Benefits Tax (FBT) – is a tax imposed on an organisation for certain benefits provided to employees by their employer. FBT is not incurred in relation to Legatees and volunteers. Personal use of fleet vehicles by employees may trigger a fringe benefit.

Legacy Brisbane – is The Legacy Club of Brisbane Limited and includes the regional Legacy Contact Groups located in the Sunshine Coast, Rockhampton and Central Queensland, Fraser Burnett (Maryborough/Burnett/Hervey Bay).

Personal Use – means the use of fleet vehicles for non-business purposes. It includes travel directly to and from work and running personal errands during work time using a business vehicle. This practice is outside Legacy Brisbane's fleet vehicle policy and not approved except under limited circumstances, refer examples at Vehicle Allocation and Use.

Personal Motor Vehicle – this is a motor vehicle owned by the individual, not Legacy Brisbane and includes those vehicles provided under a novated lease salary package arrangement.

Personal Travel - travel directly to and from work and running personal errands.

Motor Vehicle – refers to any vehicle as defined in the Transport Operations (Road Management) Act 1995

Policy

Principles underpinning this policy are:

Acquisition \ Disposal of Vehicles

The acquisition and disposal of vehicle is covered by the Purchasing & Asset \ Capital policies.

All costs essential to and associated with the purchase of fleet vehicles will be borne by Legacy Brisbane.

All vehicles will be replaced at a frequency which considers the following: optimal resale value, warranty period, kilometres travelled, increasing maintenance costs, vehicle appearance and the vehicle being fit for purpose. As general guidance vehicles shall be kept until they reach 80,000 km or 48 months whichever comes first.

CEO approval is required for the purchase and / or disposal of the vehicle.

The best price will be obtained for the vehicle being disposed of, either through trade in or auction.

All staff requests to purchase a Legacy Brisbane vehicle that is being disposed of must be approved by the Board and be at market value.

Repairs and Maintenance

Legacy Brisbane's fleet vehicles are to be serviced in accordance with the service manual. The owner's manual for each vehicle is stored in the vehicle's

glovebox and drivers are to familiarise themselves with the features and correct operation of each vehicle by reviewing the contents of these manuals.

The authorised driver of each vehicle is responsible for ensuring the vehicle is maintained in a roadworthy condition. This responsibility is limited to ensuring that tyre pressure checks are carried out and any windscreen damage, warning lights displayed or other wear or abnormal noises are brought to the attention of the Department Manager. Authorised Drivers should heed any warning lights displayed in the vehicle and stop driving if warranted. The authorised driver should also check that any navigation device being used is correctly secured and up-to-date before use, if the navigation device is not up-to-date they should arrange for it to be updated.

It is the responsibility of the Department Manager to ensure that the vehicles in their department are appropriately serviced and the vehicles are made available when due.

Fleet Management

The CEO has responsibility for overall fleet management.

Department Managers are responsible for ensuring that all vehicles under their control are used in a manner which complies with this policy, incident reports, arranging repairs and maintenance when due.

Running costs for both pool and employment contract vehicles will be charged to the users department/cost centre, based on log book records.

The Finance Manager is responsible for the general fleet management including:

- Registration
- Insurance
- RACQ membership
- Ordering / issuing of fuel cards & toll transponders
- Insurance claims for damage to vehicles

The People and Culture Manager, or equivalent, is responsible for:

- WorkCover claims for injuries caused through the operation of a fleet vehicle

Legacy Brisbane shall at all times ensure all fleet vehicles are registered and fully comprehensively insured.

Each pool, regional and position specific vehicle should contain:

- First Aid kit
- Mounting bracket for a navigation device (mobile phone or navigation system). The bracket and a device when they are in use must not obscure the view of the road. This is only required if not built into the vehicle's dashboard. All Legacy owned vehicles no longer require a mounting bracket.
- Ownership and insurance details for the vehicle.
- What to do in a traffic crash flyer
- Vehicle owner's manual

- Vehicle log book (alternatively this may be held with the vehicle's keys)
- A list of Department Managers phone numbers, in case of emergency.

Where appropriate a toll transponder will be in the vehicle.

Vehicle Branding

The outward appearance of the motor vehicle should not be altered in anyway, including with Legacy branding, unless otherwise determined by the CEO.

Roadside Assistance

If a Legacy Brisbane vehicle requires roadside assistance (e.g. flat tyre, flat battery, mechanical breakdown, keys locked in vehicle) the authorised driver shall:

1. As far as practicable – ensure the safety of the occupants and the vehicle.
2. Call the RACQ for assistance.
3. Notify their Department Manager and keep them informed.
4. Complete a Vehicle Incident Form as soon as possible.

Vehicle Accidents / Incidents

In the event of a vehicle accident or incident including wilful damage, the authorised driver shall:

1. As far as practicable – ensure the safety of the occupants and the vehicle.
2. Meet all Legal responsibilities including notifying emergency services if required, exchanging details with other parties.
3. If possible take photographs of the incident and damage.
4. Notify their Department Manager and keep them informed. If necessary the Department Manager can use their corporate card to pay for emergency repairs or accommodation.
5. Complete a Vehicle Incident Form providing as much detail as possible as soon as possible.
6. If an authorised driver or passenger in the Legacy Brisbane vehicle sustains an injury, it must be reported to their Department Manager within 24 hours for insurance and WorkCover purposes.

Authorised Drivers

Only authorised drivers are permitted to drive Legacy Brisbane vehicles. Except in cases of genuine emergency, an authorised driver will not permit any other person who is not an authorised driver to drive the vehicle. Any emergency which requires another person to drive the vehicle shall be reported to the authorised driver's department manager as soon as possible.

If at any time the licence of an authorised driver expires, is revoked, the driver is otherwise disqualified from driving, or limitations are placed upon their licence, it is the responsibility of the driver to notify their department manager.

Unauthorised use of a Legacy Brisbane vehicle may result in disciplinary action.

Written approval from the CEO is required for the holder of a provisional driver's licence to be an authorised driver. These requests will be considered on a case by case basis.

Each Department Manager is to maintain a register of the staff, volunteers and Legatees in their operational area who are authorised drivers and the expiry date for their licence. The Department Manager will confirm annually that each authorised driver still holds a valid, appropriate drivers licence. Before appointing an individual as an authorised driver the Department Manager will consider any restrictions or limitations imposed on their licence, their driving record, the class of licence held and the driving they are likely to do as part of their role with Legacy. On appointment as an authorised driver a copy of the individual's driver licence will be taken by the Department Manager or People Culture Manager and placed in their personnel file held by People and Culture where it will be held in line with the Privacy Policy.

Authorised Drivers may use the Legacy Brisbane vehicles on the following basis:

- a. Must ensure that all safety precautions are taken in respect of themselves and passengers, including use of seat belts and infant / child restraints.
- b. Drive with due care and treat the vehicle with respect.
- c. Must not drive under the influence of alcohol or other substances including over the counter and prescription drugs that may affect your ability to operate a vehicle.
- d. Must not exceed the maximum number of passengers and / or load limits for the vehicle.
- e. Comply with all relevant traffic laws, regulations and rules and this policy.
- f. Comply with the Code of Conduct, Workplace Health and Safety policy and all other relevant policies and procedures.
- g. Ensure the security of the vehicle and all contents when leaving the vehicle unattended and that no confidential or sensitive documents are left in an unattended vehicle.
- h. To minimise motor vehicle break-ins, valuable or potentially valuable items (mobile phones, notebooks, packages, cases etc.), if left in an unattended vehicle, must not be visible from outside the vehicle. No confidential or sensitive documents are left in vehicles while unattended.
- i. Smoking is not permitted in a vehicle owned or operated by Legacy Brisbane.
- j. Pets or other animals are not permitted in Legacy Brisbane vehicles, unless it is a recognised assistance animal, in which case the animal must be appropriately restrained.
- k. Report to the Department Manager responsible for the pool \ regional \ position specific vehicle any maintenance required and warning lights showing.

- I. Ensure that any navigation device used is correctly secured and up-to-date before use, if the navigation device is not up-to-date they should arrange for it to be updated.

Exceptions to this policy require written approval of the CEO.

Vehicle allocation and Use

Pool Vehicles

Are vehicles held for business purposes and are made available to a staff member, Legatee or volunteer in the course of carrying out their work duties.

Pool vehicles are not available for private use and except in exceptional cases, are to be garaged at Legacy House.

All vehicles contain a logbook. For each trip, the vehicle logbook is to be completed by entering the date on which travel is undertaken, the odometer reading at the start of the trip, driver, destination, purpose and distance travelled. Details of vehicle expenses (fuel, repairs and servicing) are also to be recorded. A trip is the return movement between Legacy premises and work related destination on the same day example from Legacy House to a community service appointment and return. Any overnight stop marks the end of a trip.

Staff are expected to be responsible for the cleanliness and care of vehicles including maintaining the interior in a neat and tidy condition and arrange cleaning as required. All rubbish, business and personal items must be removed from the vehicle after each use.

In order to minimise the FBT implications, Legacy does not allow the personal use of pool vehicles. However a vehicle may be available to garage overnight infrequently in exceptional circumstances, this must be pre-approved by the Department Manager. The following are examples of what would be defined as an exceptional circumstance:

A Community Services Officer has an early appointment on the side of town close to where they live. In this case the Community Services Officer would seek approval from the Community Services Manager before the day of the appointment to drive the vehicle home and garage for the night. The vehicle is then used to go to the appointment only and garaged at Legacy House afterwards. While the vehicle is garaged overnight at the Community Services Officer's home, it is not available for private use of any kind. These kinds of appointments should ideally take place during the week to avoid weekend garaging of the vehicle. Note this would be two trips for logbook purposes – one to the staff member's home, one from the home to the appointment and then to Legacy House.

A Fundraising Officer is required to work outside the normal work hours and may not be able to return the vehicle to Legacy House same day therefore the vehicle may need to be garaged overnight. Pre-approval is required from the Fundraising Manager when using a vehicle outside normal hours as well as garaging the vehicle overnight. The vehicle needs to be returned and garaged at Legacy House next day.

The Pool Vehicle procedure shall be followed.

Regional Vehicles

A regional vehicle will be treated similarly to a pool vehicle, although located at a Regional Centre. Where possible the vehicle will be securely garaged at the Legacy regional office.

Log books are required to be kept for regional vehicles.

In the limited situation where no suitable garaging is available at or near the Regional Centre, then Legacy Brisbane may negotiate an arrangement with a staff member for private garaging. Such an arrangement would need to meet the business needs of Legacy Brisbane including that any fringe benefit would be included in the staff member's salary sacrifice cap. This arrangement would be on a case by case basis and need to be documented in writing including permitted private use. The regional vehicle would not form part of the staff member's remuneration package, thus the vehicle will not be available for use outside the regional area or for extended trips not part of carrying out their work duties. Log books are required to be kept for regional vehicles managed under these circumstances.

Staff are expected to be responsible for the cleanliness and care of vehicles including maintaining the interior in a neat and tidy condition and arrange cleaning as required. All rubbish, business and personal items must be removed from the vehicle after each use.

Position Specific Vehicles

For some roles a vehicle is assigned specifically to the position in order to allow the efficient and effective completion of that role, for this policy these vehicles are referred to as position specific vehicles. In these instances, the position description for the role will specify the provision of a vehicle. An employee filling such a position has use of the assigned vehicle for both business and private use. These vehicles are normally garaged at the staff member's residence.

Position specific vehicles may also be made available for business travel by another staff member, Legatee or volunteer with the consent of the staff member with that vehicle entitlement.

The value of the salary sacrifice options available to the staff member assigned the position specific vehicle, will be reduced by the value of the fringe benefit arising from the private use of the vehicle.

Should the staff member assigned the position specific vehicle take an extended absence (e.g. for a period of parental or long service leave and another individual is appointed temporarily to fill the position), the staff member absent will be required to surrender the vehicle for the use of the individual temporarily filling the position.

Where the staff member assigned the position specific vehicle ceases employment with Brisbane Legacy or changes roles, they are to return the vehicle in a clean condition and suitable for use by the next driver. In all cases the keys, fuel cards or other credit/charge cards, log books and any other appropriate documentation are to be returned to the CEO or their delegate.

Logbooks are not required to be completed for position specific vehicle.

CEO / Executive Vehicle

A vehicle provided to the CEO or an Executive as part of their remuneration package is available for their private use. FBT is dealt with through salary sacrifice.

These vehicles are not available for business travel by another staff member, Legatee or volunteers. Whilst owned by Legacy Brisbane such vehicles are effectively private motor vehicles.

Logbooks are not required to be completed for CEO \ Executive vehicles.

Use of Private Vehicles

Whilst private vehicles are sometimes used for business, Legacy's preference is that staff use Legacy Brisbane vehicles for business travel. Legacy Brisbane will not accept any liability whatsoever which may arise from the use of a private vehicle for Legacy business travel. Private vehicle use must be pre-approved in line with the Travel Policy.

Legatee reimbursement for vehicle use is where the travel is more than would be expected for normal legatee visits/duties eg travel between regional towns for Legacy meetings.

It is the responsibility of the individual to ensure that private vehicle used for business travel must be roadworthy, registered and fully comprehensively insured.

Subject to manager approval, award staff will be reimbursed for the approved use of their personal vehicle at the rate stipulated in the award. Claims for car allowance will be paid for business travel only (refer definitions) and require evidence of the distance travelled.

Legatees, volunteers and non-award staff may claim reimbursement for business use of their personal motor vehicle. The maximum reimbursement amount is calculated at the rate nominated in the DVA BEST Grant Opportunity Guidelines (currently \$0.418 per kilometre). The BEST Guidelines are typically released in January each year. Relevant trip details are required for reimbursement claims along with Group Chair or manager approval of the claim.

Fuel Cards / Refuelling

Legacy Brisbane has a fuel card agreement with Motorpass. The fuel card can be used for the purchase of fuel and car wash. When using the card the vehicle odometer reading is to be recorded. Fuel cards are issued to regular designated drivers of the pool vehicles.

Fuel cards or corporate credit card if available should be used for the purchase of fuel and car wash.

Receipts for fuel (credit card and Motorpass) are to be kept and handed into finance at the end of each month for reconciliation of the Motorpass invoice / credit card statement.

Fuel cards are to be kept safe and in the event one is lost or misplaced, the Finance Manager needs to be notified as soon as possible to arrange cancellation / order new card.

Prior to refuelling you must ensure the petrol station accepts Motorpass.

Return the vehicle to Legacy premises with no less than half a tank of fuel.

Tolls

All applicable Legacy Brisbane vehicles are fitted with a transponder for free-flow tolling. Under no circumstances may transponders placed in a Legacy vehicle be transferred to another current Legacy vehicle, or private vehicle.

Tolls incurred for private use trigger FBT, therefore all tolls relating to roads, bridges and tunnels deemed to be private use in a company vehicle, will be charged to the individual incurring the expense.

Costs associated with toll use for each vehicle will be monitored by the Finance Officer and the relevant expense charged to the department / cost centre the vehicle comes under.

Vehicle Logbooks

All pool and regional Legacy Brisbane vehicles contain a logbook. It is a requirement to complete the logbook

For each trip, the vehicle logbook is to be completed by entering the date on which travel is undertaken, the odometer reading at the start of the trip, driver, destination, purpose and distance travelled. Details of vehicle expenses (fuel, repairs and servicing) are also to be recorded. A trip is the return movement between Legacy premises and work related destination on the same day example from Legacy House to a community service appointment and return. Any overnight stop marks the end of a trip.

The logbook is used by Legacy Brisbane:

- To substantiate business travel including kilometres travelled, fuel, repairs and maintenance.
- Calculate any potential FBT liability.
- Assign costs relating to the vehicles to cost centres.
- Assigns parking and traffic infringements to the appropriate driver.
- To inform the vehicle selection process and the insurance purchasing decision.
- To inform the maintenance process.
- To inform grant funding.

Log books are to be made available to Finance for review March 31 and September 30 each year.

Parking and Traffic Infringements

It is the responsibility of authorised drivers to comply with all traffic rules and parking ordinances.

Any parking and traffic infringement fines are the responsibility of the driver and will not be paid by Legacy Brisbane.

If Legacy Brisbane receives an infringement notice, the driver of the vehicle will be identified and a Statutory Declaration signed by a Legacy Manager. An infringement notice will then be issued by Queensland Police to the driver.

Where the driver of a vehicle cannot be identified and an infringement is received by Legacy Brisbane, the corporate charge for an infringement (currently five times that of the fine applied to the personal infringement notice) will be allocated to the vehicle's department. Drivers are not permitted to pay the corporate charge in lieu of a personal infringement charge so as to avoid incurring demerit points.

Non-compliance with Policy

Non-compliance with this policy may result in disciplinary action.

Procedures

The following specific procedures apply:

[Use of a pool vehicle](#)

[Vehicle Incident Form](#)

Evaluation and review

Evaluation and review of this policy will be conducted by the CEO and the policy sponsor each three years. Following review, recommendations for change will be forwarded to the approving authority. This policy should be reviewed before that time if there are material changes to the legislation and regulations governing Legacy Brisbane.

References and linkages

Legacy Brisbane Code of Conduct

Legacy Brisbane Workplace Health and Safety policy

Legacy Brisbane Privacy policy

Legacy Brisbane Conflict of Interest & Related Party policy

[Legacy Brisbane Purchasing policy](#)

[Legacy Brisbane Travel policy](#)

Legacy Brisbane Delegation of Authority

[Legacy Brisbane Credit card usage policy](#)

[Queensland Police Traffic Crash Flyer](#)

Fringe Benefits Tax Assessment Act 1986 and amendments and associated rulings

Social, Community, Home Care and Disability Services Industry Award 2010 and amendments

Legacy Brisbane Strategic Plan 2019 – 2023